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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JERRY AVILES, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

INTERVET INC., a Delaware corporation
d/b/a WWW.HOMEAGAIN.COM,

Defendants.

Case No. 2:23-cv-10825-RGK-BFM
Judge R. Gary Klausner

**PLAINTIFF'S NOTICE OF
DISMISSAL WITHOUT PREJUDICE
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(i)**

1 TO THE COURT, CLERK AND ALL PARTIES OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiff Jerry Aviles (“Plaintiff”) respectfully
3 requests dismissal of the instant action pursuant to Rule 41(a)(1)(A)(i) of the Federal
4 Rules of Civil Procedure *without prejudice* as to Plaintiff’s individual claims, and *without*
5 *prejudice* as to the putative class. Defendant has not filed or served an answer to
6 Plaintiff’s Complaint, nor filed a motion for summary judgment.

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8 Dated: February 29, 2024

PACIFIC TRIAL ATTORNEYS

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10 By: /s/ Scott J. Ferrell

11 Scott J. Ferrell

12 Attorney for Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that on February 29, 2024, I electronically filed the foregoing **PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)** with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Scott J. Ferrell Esq.
Scott J. Ferrell, Esq.